

Message Text

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FM AOEMBASSY BUDAPEST
TO SECSTATE WASHDC PRIORITY 753

LIMITED OFFICIAL USE SECTION 1 OF 2 BUDAPEST 0794

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TAGS: CVIS, CSCE, EEWT, SHUM, HU, US
SUBJECT: HUNGARIAN EMIGRATION PRACTICE

REF: STATE 044821, 77 BUDAPEST A-70, 77 BUDAPEST A-71

1. FOLLOWING ARE REPLIES TO REFTEL PARAS. 4 AND 5 BASED ON
INFORMATION THE EMBASSY HAS ON HAND AND IN OUR INSTITUTIONAL
KNOWLEDGE. EMBASSY WILL ANSWER OTHER REFTEL QUESTIONS AS WE
DEVELOP THE REQUESTED STATISTICS AND DATA.

2. "SUBTLE BARRIERS TO EMIGRATION."

(A) LIMITATIONS ON AMOUNT OR RANGE OF PERSONAL GOODS
APPLICANTS MAY TAKE WITH THEM WHEN THEY DEPART HUNGARY. TO OUR
KNOWLEDGE THIS QUESTION IS NOT ADDRESSED BY A SPECIFIC LAW,
BUT RATHER BY REGULATIONS ISSUED BY THE HUNGARIAN NATIONAL BANK
UNDER AUTHORITY IT LEGALLY HAS TO REGULATE FOREIGN EXCHANGE
MATTERS. ACCORDING TO A JANUARY 1978 BANK INFORMATION SHEET
(WHICH WE WILL SEND
TO DEPARTMENT IN TRANSLATION), THE RULES
ARE AS FOLLOWS. PERSONS EMIGRATING FROM HUNGARY WITHOUT SPECIAL
BANK EXPORT PERMISSION MAY TAKE OUT WITH THEM THE SAME
ITEMS AND QUANTITIES AS IF THEY WERE LEAVING ON VISITS
ONLY. THESE INCLUDE: 400 FORINTS (\$20) PER PERSON, PERSONAL
TRAVEL ITEMS, FOOD FOR THREE DAYS, 500 CIGARETTES, AND
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PERSENTS UP TO A VALUE OF 1000 FORINTS (\$50) (WHICH MAY
NOT INCLUDE PERCIOUS METALS, MUSEUM PIECES, STAMPS, AND SOME
FOODSTUFFS). PERSONS EMIGRATING FROM HUNGARY WITH BANK
EXPORT PERMISSION MAY, IN ADDITION TO THE ABOVE, TAKE OUT
20,000 FORINTS' (\$1000) WORTH OF BELONGINGS PER PASSPORT
BEARER PLUS 10,000 FORINTS' (\$500) WORTH OF BELONGINGS PER
PERSON INCLUDED IN THE PASSPORT. WITHIN THE AFOREMENTIONED

VALUE, THE FOLLOWING MAY BE INCLUDED:

- SILVERWARE, UP TO ONE KOLOGRAM
- PAINTINGS, STATUES, GRAPHS, ETC., UP TO 2000 FORINTS' WORTH
- BOOKS, UP TO 2000 FORINTS' WORTH.

FOR CERTAIN ITEMS, SUCH AS ARTWORKS, BEFORE THE BANK WILL GRANT PERMISSION, EXPORT CONSENT MUST BE OBTAINED FROM VARIOUS MUSEUMS AND OTHER SPECIALIZED INSTITUTIONS. WE UNDERSTAND THAT AMONG OTHER ITEMS THE BANK WILL NOT AUTHORIZE THE TAKING OUT OF INDUSTRIAL MACHINES, VEHICLES, PIANOS, EASTERN (PERSIAN) RUGS, AND REAL FURS. EMIGRANTS MAY TAKE OUT WITHOUT PERMISSION UP TO 200 FORINTS' (\$10) WORTH OF HARD CURRENCY. AN ADDITIONAL 300 FORINTS' (\$15) WORTH OF HARD CURRENCY MAY BE PURCHASED BY EMIGRANTS TO THE WEST.

(B) OFFICIALS' ATTITUDES IN ENCOUNTERS WITH INTENDING EMIGRANTS. TO OUR KNOWLEDGE, A FORMAL APPLICATION INTERVIEW ANALOGOUS TO THE U.S. IMMIGRANT VISA INTERVIEW IS NOT A FIXED REQUIREMENT IN HUNGARIAN EMIGRATION EXIT APPLICATIONS. HOWEVER, PROSPECTIVE EMIGRANTS ARE REQUIRED TO SUBMIT THEIR APPLICATIONS IN PERSON. THIS IS BASICALLY AN OVER-THE-COUNTER OPERATION, INVOLVING IDENTIFICATION OF THE APPLICANTS THROUGH THEIR PERSONAL IDENTITY CARDS, AND CHECK FOR COMPLETENESS, ETC. OF THE DOCUMENTS PRESENTED IN SUPPORT OF THE EXIT APPLICATION. THE APPLICATION INCLUDES A STATEMENT OF THE APPLICANT'S MOTIVATION FOR WISHING TO DEPART. AUTHORITIES SUBSEQUENTLY MAKE AN EXIT DECISION USUALLY WITHIN THE STIPULATED THIRTY LIMITED OFFICIAL USE

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DAY PERIOD, AND NOTIFY APPLICANTS. IF REFUSED, APPLICANTS MAY APPEAL WITHIN FIFTEEN DAYS, SUBMITTING A NEW WRITTEN STATEMENT OF THEIR REASONS FOR WISHING TO LEAVE. AT ANY TIME AUTHORITIES MAY CALL IN A GIVEN APPLICANT FOR SPECIFIC INTERVIEW, AND SOMETIMES THEY DO. WE HAVE NOT HEARD REPORTS OF SYSTEMATIC OFFICIAL RUDENESS OR ATTEMPTS TO DISCOURAGE EMIGRATION APPLICATIONS IN NORMAL CASES (E.G. PERSONS OVER 55 AND WIVES SEEKING TO JOIN RECENTLY-MARRIED HUSBANDS ABROAD).

RARELY, AN APPLICANT IN A PARTICULARLY DIFFICULT OR LONG-DRAWN-OUT PROBLEM CASE (E.G. THE NOW-RESOLVED SOMOGYI DIVIDED FAMILY CASE OR THE STILL-RUNNING PETER VALY DUAL-NATIONAL CASE) WILL COMPLAIN OF OFFICIAL RUDENESS DURING REPEATED CONTACTS. RUDENESS AND ACTIVE OFFICIAL DISCOURAGEMENT OF SUBMISSION OF APPLICATIONS AND APPEALS DO NOT, HOWEVER, APPEAR TO BE THE NORM. ON THE OTHER HAND, OFFICIALS DO NOT GO OUT OF THEIR WAY TO BE ESPECIALLY COURTEOUS OR ACCOMODATING TO APPLICANTS. THEY JUST ACCEPT APPLICANTS' DOCUMENTS MORE-OR-LESS UNCOMMUNICATIVELY AND INDIFFERENTLY, AND TELL APPLICANTS THEY WILL BE NOTIFIED OF THE OUTCOME IN DUE COURSE. (WE ADD THAT SUCH LACKADAISICAL BUREAUCRATIC QUALITIES APPLY MORE-OR-LESS GENERALLY TO HUNGARIAN OFFICIALFUM, NOT ONLY TO PASSPORT OFFICIALS.

HUNGARIANS EXPECT SUCH A RECEPTION WHEN THEY HAVE TO GO TO OFFICIALS ON A WIDE VARIETY OF SUBJECTS, AND ACCEPT NONSIMPATICO BUREAUCRACY AS A FACT OF LIFE.)

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(C) ARE PASSPORT APPLICATIONS EASILY AVAILABLE? YES, VERY EASILY, AT OFFICES OF IBUSZ, THE STATE TRAVEL AGENCY. THE APPLICATION FORM ITSELF COSTS 10 FORINTS (50 CENTS). THERE IS A FILING FEE OF 250 FORINTS (\$12.50).

3. DUAL NATIONALS. 76 BUDAPEST A-90 IS A COMPRESHENSIVE REPORT ON THE STATUS OF U.S.-HUNGARIAN DUAL NATIONALS IN HUNGARY. THE INFORMATION IN THAT AIRGRAM IS STILL CURRENT, AND THE EMBASSY RECOMMENDS THE AIRGRAM TO THE DEPARTMENT'S ATTENTION. SECTION 4B OF THAT AIRGRAM ADDRESSES TRAVEL ABROAD, INCLUDING EMIGRATION, OF HUNGARIAN-RESIDENT DUAL NATIONALS. THAT SECTION ALSO DESCRIBES TYPES OF DUAL NATIONAL EMIGRATION PROBLEM CASES EHICH OCCASIONALLY OCCUR. THE ONLY ACTIVE DUAL NATIONAL PROBLEM EMIGRATION PROBLEM CASE AT PRESENT IS THAT OF PETER VALY, A DUAL WHO RETURNED TO HUNGARY IN SEPTEMBER 1976 AT THE DEHEST OF HIS HUNGARIAN CITIZEN (U.S. PERMANENT RESIDENT) WIFE. BY JANUARY 1977 VALY CONCLUDED HE HAD MADE A MISTAKE AND HAS BEEN SEEKING TO REDEPART SINCE. SEVERAL PASSPORT APPLICATIONS AND APPEALS HAVE BEEN REFUSED, AND THE EMBASSY HAS MADE REPRESENTATIONS. WE ARE FAIRLY SURE THE REAL BLOCK IN CASE IF VALY'S OWN UNCERTAIN FAMILY SITUATION. HE AND HIS WIFE ARE SEPARATED, AND SHE HAS CUSTODY OF THEIR ONLY CHILD, WHOM VALY WOULD ALSO LIKE TO BRING BACK TO THE U.S. WIFE ADAMANTLY RESUSES TO RETURN TO U.S. OR TO RELEASE THE CHILD. OFFICIALS APPEAR RELUCTANT TO PERMIT VALY TO DEPART FOR FEAR OF SETTING UP A POSSIBLE DIVIDED FAMILY

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EMIGRATION PROBLEM CASE BETWEEN HIM IN THE U.S. AND HIS SON HERE. MFA HAS INTIMATED TO US THAT IF VALY WOULD DEFINITELY REGULARIZE HIS FAMILY STATUS (E.G. BY DIVORCE), EMIGRATION DECISION COULD GO FAVORABLY.

4. COMMENT. AS THE EMBASSY HAS PREVIOUSLY REPORTED, ALTHOUGH THE HUNGARIAN EMIGRATION LAW IS OSTENSIBLY RESTRICTIVE ON PAPER, IT IS APPLIED WITH SOME FLEXIBILITY. WHILE WE DO NOT WANT TO MAKE OF THE LAW A SILK PURSE OUT OF A SOW'S EAR, OUR READING FROM EXPERIENCE IS THAT IF A HUNGARIAN REALLY WANTS TO EMIGRATE, SUBMITS AN APPLICATION TO DO SO, AND PERSISTS WITH REPEATED APPLICATIONS AND APPEALS IF REFUSED, THE ODDS ARE THAT HE OR SHE WILL ULTIMATELY RECEIVE EXIT PERMISSION. SOME 90 PER CENT OF APPLICATIONS ACTUALLY SUBMITTED APPEAR TO BE APPROVED THE FIRST TIME AROUND. HOWEVER, THIS EMBASSY JUDGMENT REFERS ONLY TO CASES IN WHICH APPLICATIONS TO EMIGRATE HAVE ACTUALLY BEEN SUBMITTED. WE HAVE NO WAY OF DEFINITELY ESTIMATING HOW MANY HUNGARIANS ARE DISSUADED FROM APPLYING TO LEAVE BY THEIR GENERAL PERCEPTION OF THE EMIGRATION LAW AS RESTRICTIVE. TO THE LAYMAN WHO IS GENERALLY AWARE THAT ONLY PERSONS 55 AND OLDER MAY EMIGRATE EXCEPT IN CASES WHERE ONE IS JOINING A VERY CLOSE RELATIVE ABROAD, OR WHO MAY BE INFORMED IN THOSE TERMS BY THE CORNER POLICEMAN, LOCAL "EXPERT," OR EVEN A PASSPORT OFFICIAL TO WHOM HE DIRECTS A CASUAL OVER-THE-COUNTER INQUIRY, THE DIFFICULTIES MAY APPEAR SUCH THAT HE DOES NOT FORMALLY APPLY. BALANCING THIS PICTURE IS OUR PERCEPTION, RELATED IN 77 BUDAPEST A-70, THAT PENT-UP DEMAND TO EMIGRATE FROM HUNGARY MAY BE RELATIVELY MODEST. BUILDING UPON THE ANALYSIS IN THAT AIRGRAM, WE NOTE THAT ADJUSTMENT-OF-STATUS NOTIFICATIONS RECEIVED DURING ALL OF FY-77 NUMBERED 136, AGAINST TOTAL NIV ISSUANCES OF 8286, FOR A LOW PERCENTAGE OF 1.6. ALSO POSSIBLY ILLUSTRATIVE ARE THE FOLLOWING FIGURES OF IMMIGRANT AND FIANCEE VISAS THE LIMITED OFFICIAL USE

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EMBASSY ISSUED DURING THE INDICATED CALENDAR YEARS:

	IMMIGRANT VISAS ISSUED		K-1/K-2 ISSUED	TOTAL
1973	137	26	163	
1974	146	19	143	
1975	126	17	143	
1976		126	8	134
1977		98	7	105

RECENT IV ISSUANCES ARE SOMEWHAT FEWER, EVEN THOUGH NOTHING HAS CHANGED ON THE HUNGARIAN SIDE TO MAKE EMIGRATION MORE RESTRICTIVE. WHILE PART OF AN EXPLANATION FOR THE DECLINE MAY BE THAT AS

1956-ERA HUNGARIAN-AMERICANS ARE GETTING OLDER FEWER OF THEM ARE
RETURNING TO MARRY HUNGARIAN GIRLS, SOME OF THE DECLINE MAY BE
BECAUSE FEWER HUNGARIANS ARE SEEKING TO EMIGRATE ESPECIALLY AS
MORE OF THEM ARE FINDING IT EASIER TO VISIT ABROAD.
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